

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOUIS A. VENDITTE,
RUBY A. VENDITTE, and
JOHN W. WAGSTAFFE,

Defendants.

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8:14CR95

ORDER

This matter is before the court on the motion to continue by defendant Louis A. Venditte (Venditte) (Filing No. 41). Venditte seeks a continuance of the trial scheduled for December 1, 2014. Venditte's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted, and the trial of this matter will be continued as to all defendants.

IT IS ORDERED:

1. Venditte's motion to continue trial (Filing No. 41) is granted.
2. Trial of this matter as to all defendants is re-scheduled for **January 5, 2015**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **November 12, 2014, and January 5, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 12th day of November, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge